

VZCZCXYZ0000
OO RUEHWEB

DE RUEHUNV #0164 1051524
ZNY SSSSS ZZH
O 151524Z APR 09
FM USMISSION UNVIE VIENNA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 9300
RHEBAAA/DOE WASHDC IMMEDIATE
INFO RUEHII/VIENNA IAEA POSTS COLLECTIVE IMMEDIATE
RUEHBJ/AMEMBASSY BEIJING IMMEDIATE 0830
RUEHMO/AMEMBASSY MOSCOW IMMEDIATE 0885
RUEHUL/AMEMBASSY SEOUL IMMEDIATE 0300
RUEHKO/AMEMBASSY TOKYO IMMEDIATE 0684
RUCNDT/USMISSION USUN NEW YORK IMMEDIATE 1587

S E C R E T UNVIE VIENNA 000164

SIPDIS

ISN/RA FOR MAHAFFEY AND RANA, IO/T FOR GOLDSTEIN, EAP FOR
KELLY AND JOHNSON

E.O. 12958: DECL: 04/15/2033
TAGS: [AORC](#) [IAEA](#) [KN](#) [KNNP](#)
SUBJECT: IAEA/DPRK: INSPECTORS IN PYONGYANG; TO DEPART
NORTH KOREA ON APRIL 16

REF: UNVIE 00162

Classified By: AMBASSADOR GREGORY L. SCHULTE FOR REASONS 1.4 (B) AND (D)
)

¶1. (S) IAEA officials informed Mission on April 15 that its inspectors had completed the removal of seals and containment and surveillance measures and arrived in Pyongyang. The IAEA left its equipment at the Yongbyon nuclear center and will decide how to handle the return of equipment "later." Inspectors are scheduled to fly out of North Korea on April 16.

¶2. (SBU) Background: IAEA inspectors returned to North Korea on July 14, 2007 after a 4.5 year absence to implement the ad hoc monitoring and verification arrangement approved by Board of Governors during a Special Board meeting on July 9, 2007 (GOV/2007/36). Inspectors have since monitored and verified the shutdown status of the reprocessing facility, the 5 MWe reactor, the fuel fabrication facility, and two unfinished reactor construction sites, with the exception of a brief period in October 2008. North Korea denied inspectors access to Yongbyon facilities from October 9-14, 2008, when the North suspended (and began reversing) disablement work at Yongbyon. At the time, the IAEA removed some seals at the request of the North Koreans, but all seals and containment and surveillance measures were reapplied after inspectors regained access on October 14.

¶3. (S) Safeguards DDG Heinonen privately shared with DCM on April 15 his estimate that in the absence of monitoring the DPRK could resume reprocessing of spent fuel within one month (not two weeks as suggested by some prominent NGO commentators) and would require about six months to manufacture fuel and restart the reactor. Heinonen discounted the likelihood that Pyongyang's expulsion of the IAEA was a conscious step toward the conduct of a nuclear explosive test.

¶4. (SBU) Comment: Japanese and Australian mission reps have queried UNVIE as to whether the U.S. will seek a special IAEA Board of Governors meeting to review North Korea's expulsion of IAEA inspectors. Absent other guidance, Mission will continue to respond that we have no such instructions. Mission speculates that should the DPRK-enforced departure of inspectors remain in force for a period of months, the IAEA may feel increasingly compelled to resurface the question--last put to the IAEA Board by DG ElBaradei in his September 2 report to the Board (GOV/2008/40-GC(52)/14) as to whether the DPRK is legally a non-NPT member. If DPRK is not

an NPT member, as noted by the DG, the IAEA has an obligation to resume safeguards implementation under the INFCIRC/66-type safeguards agreement with North Korea covering the IRT research reactor. (The IRT-specific safeguards agreement is contained in INFCIRC/252). An enforced total absence from Yongbyon for a long period of time may lead the IAEA to feel more acutely a responsibility to clarify its obligations at the IRT reactor.

SCHULTE